

AMENDED IN SENATE APRIL 19, 1999

**SENATE BILL**

**No. 1266**

**Introduced by Senator Knight**  
*(Coauthor: Assembly Member Robert Pacheco)*

February 26, 1999

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An act to ~~amend Section 51230 of, and to add Sections 35041.3 and 51413 to,~~ the Education Code, relating to *add Section 35041.3 to* the selective service.

LEGISLATIVE COUNSEL'S DIGEST

SB 1266, as amended, Knight. Selective Service Act: registration: high school.

~~Existing law requires each public postsecondary educational institution to make every reasonable effort to inform all male applicants for undergraduate admission of their obligation to register in accordance with the federal Military Selective Service Act through one or more means, as determined by each institution. Existing law prohibits any person subject to the federal Military Selective Service Act from receiving any financial aid administered by the Student Aid Commission if that person has not registered in accordance with that act.~~

~~Existing law sets minimum requirements for graduation from high school and receipt of a high school diploma, or high school equivalency diploma.~~

~~This bill would, to the extent permitted by federal law, prohibit a school district from issuing a high school diploma, and would prohibit the Superintendent of Public Instruction from issuing a high school equivalency diploma, to a person~~

~~subject to the federal Military Selective Service Act if that person has not registered in accordance with that act.~~

~~This bill would require that all pupils be taught about the importance of, and their personal responsibility to, the selective service obligation as a part of the course in American government and civics required for high school graduation, the consequences of failure to register, and be taught how to register, including, but not limited to, registration by use of the Internet.~~

Existing law authorizes school districts to appoint prescribed staff, including, but not limited to, police reserve officers, administrative advisors, and legal counsel.

~~This bill would, to the extent permitted by federal law, require the governing board or boards of any school district to *make every reasonable effort to* appoint a selective services registrar for each high school, who may be a school employee or a school volunteer who is 18 years of age or older, to ~~ensure that all~~ help pupils subject to the federal Military Selective Service Act enrolled in the high school ~~have registered~~ register in accordance with that act.~~

By requiring school districts to comply with these new requirements relating to selective service, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.



*The people of the State of California do enact as follows:*

~~SECTION 1. Section 35041.3 is added to the Education Code, to read:~~

~~35041.3. Notwithstanding any provision in a city, county, or city and county charter to the contrary, and to the extent permitted by federal law, the governing board~~

*SECTION 1. The Legislature finds and declares all of the following:*

*(a) Under federal law young men are required to register with the Selective Service pursuant to the federal Military Selective Service Act (50 U.S.C. App. 451 et seq.) within 30 days of their 18th birthday.*

*(b) Under federal law, failure to register is a felony punishable by a fine of up to two hundred fifty dollars (\$250), imprisonment for up to five years, or both the fine and imprisonment.*

*(c) Registration with the Selective Service is a condition of eligibility under federal law in order to be eligible for federal student loans and federal job training.*

*(d) Under California law, registration is required for a student to be eligible for state student financial aid and for appointment to many state and local government jobs.*

*(e) Every effort must be made to ensure that young men are aware of, and fulfill, their obligation to register for the Selective Service.*

*SEC. 2. Section 35041.3 is added to the Education Code to read:*

*35041.3. (a) The governing board or boards of any school district shall make every reasonable effort to appoint a selective service registrar for each high school. The selective service registrar may be an employee of the high school where he or she is appointed or a school volunteer who is 18 years of age or older. The ~~duties~~ duty of the selective service registrar are to ensure that all is to help pupils subject to the federal Military Selective Service Act (50 U.S.C. App. 451 et seq.) enrolled in the high school ~~have registered~~ register in accordance with that act.*

~~SEC. 2. Section 51230 of the Education Code is amended to read:~~

~~51230. As a part of the course in American government and civics required for high school graduation pursuant to subparagraph (D) of paragraph (1) of subdivision (a) of Section 51225.3, all pupils shall do all of the following:~~

~~(a) Read and be taught all of the following:~~

~~(1) The Declaration of Independence.~~

~~(2) The United States Constitution, including the Bill of Rights.~~

~~(3) Substantive selections from the Federalist Papers.~~

~~(4) The Emancipation Proclamation.~~

~~(5) The Gettysburg Address.~~

~~(6) George Washington's Farewell Address.~~

~~(b) Be taught about the importance of, and their personal responsibility to, selective service obligations.~~

~~(c) Be taught about the consequences of failure to register for the selective service.~~

~~(d) Be taught how to register, for the selective service including where to obtain the required for or how to register electronically over the Internet (<http://www.sss.gov>).~~

~~SEC. 3. Section 51413 is added to the Education Code, to read:~~

~~51413. To the extent permitted by federal law, a school district may not issue a high school diploma, and the Superintendent of Public Instruction may not issue a high school equivalency diploma, to a person subject to the federal Military Selective Service Act (50 U.S.C. App. 451 et seq.) if that person has not registered in accordance with that act.~~

~~SEC. 4.—~~

~~(b) A school district shall make every reasonable effort to inform pupils enrolled with the district who are subject to the federal Military Selective Service Act (50 U.S.C. App. 451 et seq.) of all of the following:~~

~~(1) The importance of meeting one's Selective Service obligations.~~

1     (2) *The consequences of not registering as required*  
2     *under the federal Military Selective Service Act.*

3     (3) *How to register with the Selective Service.*

4     SEC. 3. Notwithstanding Section 17610 of the  
5     Government Code, if the Commission on State Mandates  
6     determines that this act contains costs mandated by the  
7     state, reimbursement to local agencies and school  
8     districts for those costs shall be made pursuant to Part 7  
9     (commencing with Section 17500) of Division 4 of Title  
10    2 of the Government Code. If the statewide cost of the  
11    claim for reimbursement does not exceed one million  
12    dollars (\$1,000,000), reimbursement shall be made from  
13    the State Mandates Claims Fund.

